

PHYSICAL THERAPY LICENSURE BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 8/23/2019

BOARD MEMBERS PRESENT: Angela L Lippiello - Chair
M Andrew Mix
Mike D Bailey
Craig L Esplin
Glady Schroeder

BUREAU STAFF: Kelley Packer, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Administrative Support Manager
Marcie Rightnowar, Appeals/Hearings Technician
Rob McQuade, Legal Counsel
Eric F. Nelson, Board Prosecutor
Debbie Toncray, Board Specialist

The meeting was called to order at 9:00 AM MDT by Angela L Lippiello.

APPROVAL OF MINUTES

Mr. Mix made a motion to approve the minutes of 5/7/2019, 5/17/2019, and 6/10/2019. It was seconded by Ms. Schroeder. Motion carried.

DISCIPLINE

Mr. Nelson presented a Stipulation and Consent Order in case number PHT-2019-2. Mr. Esplin made a motion to approve the Consent Order and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Bailey. Motion carried.

INVESTIGATIVE REPORT

Ms. Rightnowar gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Esplin made a motion to approve the Bureau's recommendation and authorize closure in case number I-PHT-2019-9. It was seconded by Ms. Schroeder. Mr. Mix was recused. Motion carried.

REPORTS

Ms. Rightnowar reviewed the reports for PHT-2018-1 and PHT-2018-4 with the Board.

TERMINATION OF PROBATION

Ms. Rightnowar reviewed the request to terminate probation in case PHT-2016-13. Mr. Bailey made a motion to approve the termination of probation pending receipt of additional required documentation. It was seconded by Mr. Mix. Motion carried.

NEGOTIATED RULEMAKING UNDER THE RED TAPE REDUCTION AND LICENSING FREEDOM ACT EXECUTIVE ORDERS; OPPORTUNITY FOR PUBLIC PARTICIPATION AND COMMENT

Ms. Packer and Mr. McQuade reviewed the final proposed revisions to the rules with the Board. Mr. Mix made a motion to approve the proposed rules and authorize the Bureau to move forward with the legislative process. It was seconded by Ms. Schroeder. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$242,446.90 as of 7/31/2019.

2020 BOARD CONTRACT

Mr. McQuade and Ms. Hall reviewed the Board contract with the Board. Mr. Bailey made a motion to approve the Board contract and authorize the Board chair to sign it on behalf of the Board. It was seconded by Mr. Mix. Motion carried.

BOARD TRAINING

Mr. McQuade reviewed the Board's role in protecting the public health, safety and welfare through the licensure and regulation of the practice of physical therapy in Idaho.

OLD BUSINESS

The Board reviewed the To Do List and no action was taken.

Ms. Packer said she recently attended a meeting related to various licensing compacts. The Board discussed the use of the Federation of State Boards of Physical Therapy (FSBPT) Compact. Mr. Mix said he would contact FSBPT and ask them for a copy of the Compact that the Board would be required to sign if it joined and would forward it to Ms. Packer.

Ms. Lippiello discussed the various avenues of providing licensing education and scope of practice information to students and licensees. The Board agreed to have Ms. Lippiello contact the Idaho Physical Therapy Association (IPTA) and discuss the possibility of the IPTA including such information in its newsletter. Ms. Lippiello will provide follow-up information at the next Board meeting.

NEW BUSINESS

DISCUSSION: BOARD APPOINTMENTS

The Board discussed appointments and term limits. The Board asked that Bureau staff check the term end date for Mr. Esplin and provide the information to the Board at its next meeting.

FSBPT – 2019 COUNCIL OF BOARD ADMINISTRATORS (CBA) FORUM REPORT

The Board reviewed the CBA Forum report. Mr. Mix made a motion to have Ms. Toncray send the report to the FSBPT. It was seconded by Ms. Schroeder. Motion carried.

FSBPT – POLICY CHANGE—PROCERT/DRY NEEDLING COURSES DISCUSSION / QUESTION FROM MR. GERBER, IDAHO PHYSICAL THERAPY ASSOCIATION

The Board reviewed the notice from FSBPT regarding its decision to discontinue the following applications related to its approval of continuing education: aPTitude, ProCert and oPTion. Mr. Mix said he would contact Ms. Adrian at FSBPT regarding the possibility of the American Physical Therapy Association accrediting dry needling or other continuing education courses. The Board also reviewed the related question received from Mr. Gerber with the Idaho Physical Therapy Association regarding the Board's next steps concerning dry needling courses previously approved through ProCert.

Mr. Bailey made a motion to authorize Mr. Mix to draft a response for the Board chair's review and signature to send Mr. Gerber. It was seconded by Mr. Esplin. Motion carried.

FSBPT SURVEY – JURISDICTION ALTERNATIVES TO PROCERT

The Board reviewed and completed the survey regarding the use of ProCert by Board members and licensees. Mr. Mix made a motion to authorize Bureau staff to submit the survey response to FSBPT. It was seconded by Mr. Esplin. Motion carried.

FSBPT – BOARD ASSESSMENT TOOL SURVEY

The Board discussed the request from FSBPT to complete the Board assessment tool recently sent to all jurisdictions. Mr. Mix made a motion to authorize Mr. Esplin to research and complete the survey and bring it to the next Board meeting for review. It was seconded by Ms. Schroeder. Motion carried.

FSBPT – DISCUSSION ABOUT IDAHO'S STAR RATING

The Board discussed the information from FSBPT regarding the possible improvement of the Board's current two-star rating with FSBPT. The star rating indicates the Board's participation level in submitting information to FSBPT regarding licensees, i.e. licenses issued, disciplinary actions, etc. Mr. Esplin made a motion to authorize himself and/or Mr. Mix to contact Mr. Mahmoud at FSBPT and ask for additional information regarding the improvement of the Board's star rating. It was seconded by Mr. Bailey. Motion carried.

CONFERENCE UPDATES AND ATTENDANCE

The Board reviewed the email from Mr. Rosa at the FSBPT regarding Bureau staff's attendance at the 2019 Annual FSBPT Meeting. Mr. Bailey made a motion to authorize Ms. Toncray or other Bureau staff to attend as the Administrator. It was seconded by Mr. Mix. Motion carried.

Mr. Esplin discussed the information he received at the FSBPT Leadership Issues Forum (LIF) meeting in July 2019. He said that the issue of continuing competence was discussed at length.

REVIEW DRAFT OF CE COURSE APPLICATION FORM

The Board reviewed the revised draft of the CE course application form. The Board agreed additional changes were needed to meet the Board's requirements for providers so the Board will have appropriate information to review CE courses for approval/denial. Mr. Mix made a motion to authorize Bureau staff to make the changes and have the Board review the form for its approval. It was seconded by Ms. Schroeder. Motion carried.

REVIEW DRAFT OF REVISED DRY NEEDLING FREQUENTLY ASKED QUESTION (FAQ)

The Board reviewed the proposed language for the dry needling FAQ. Mr. Mix made a motion to approve the language and authorize the Bureau to post it. It was seconded by Ms. Schroeder. Motion carried.

CORRESPONDENCE

SCOPE OF PRACTICE QUESTION FROM DR. ROBERTOZZI

The Board reviewed correspondence from Dr. Robertozzi regarding the scope of practice and the use of diagnostic sonography. The Board directed the Bureau to respond with a letter asking Dr. Robertozzi to refer to the laws and rules and seek any additional legal advice from his personal counsel. Mr. Esplin made a motion to authorize Mr. McQuade to draft the letter and for the Board chair to approve and send it. It was seconded by Mr. Mix. Motion carried.

SCOPE OF PRACTICE QUESTION FROM DR. PICKERING

The Board reviewed correspondence from Dr. Pickering regarding the scope of practice and physical therapists performing Department of Transportation (DOT) medical exams. The Board directed the Bureau to respond with a letter asking Dr. Pickering to refer to the laws and rules, a PT's particular qualifications, FMCSA, and seek any additional legal advice from his own personal counsel. Mr. Bailey made a motion to authorize Ms. Eavenson to draft the letter and for the Board chair to approve and send it. It was seconded by Ms. Schroeder. Motion carried.

CE COURSES

The Board reviewed and approved the following CE courses:

UNIVERSITY OF MONTANA ORTHOPEDIC MANUAL PHYSICAL THERAPY SERIES

UNIVERSITY OF MONTANA

EXPERTS DO THE BASICS WELL: CERVICAL EXAM

ST LUKES- ELKS REHAB

LATERAL EPICONDYLOSIS - JOURNAL CLUB

ST LUKES- ELKS REHAB

SPLINTING AND SPINE MANAGEMENT IN THE FIELD

ST LUKES- ELKS REHAB

**TRANSITION ISSUES IN EXECUTIVE FUNCTIONS, AS APPLIED IN
DEVELOPMENTAL AND REHAB SETTINGS**
ST. LUKES REHABILITATION

PROACTIVE PAIN NEUROSCIENCE EDUCATION
ST. LUKES REHAB HOSPITAL

FUNCTIONAL DRY NEEDLING 2
ISU/IDAHO APTA (KINETACORE)

**PAYER RULE-PALOOZA: WHAT YOU NEED TO KNOW TO GET REIMBURSED
IN 2019 AND BEYOND**
HOMECEUCONNECTION.COM

**MEDICARE'S TARGETED PROBE AND EDUCATION REVIEW: WHY WOULD
THEY PICK YOU?**
HOMECEUCONNECTION.COM

ARE YOUR MANAGERS KILLING YOUR COMPANY CULTURE?
HOMECEUCONNECTION.COM

**HOW TO BECOME THE AUTHORITY IN PHYSICAL THERAPY WITH
MARKETING**
HOMECEUCONNECTION.COM

DRAFT PICK TO HALL OF FAMER: THE ROADMAP TO EXPERTISE
HOMECEUCONNECTION.COM

**MAKING METRICS MATTER: STRATEGIES FOR UTILIZING METRICS TO
MAXIMIZE PRODUCTIVITY AND REIMBURSEMENT**
HOMECEUCONNECTION.COM

**THE NEUROSCIENCE BEHIND IMPACTFUL CONVERSATIONS: SIMPLE
PRACTICAL APPLICATIONS FOR LEADERS AND THEIR TEAMS**
HOMECEUCONNECTION.COM

HOW TO BUILD A WINNING FRONT-DESK MANAGEMENT SYSTEM
HOMECEUCONNECTION.COM

**THE SLIPPERY SLOPE OF SLOPPY DOCUMENTATION: WHY THERAPISTS
GET DENIALS DURING DOCUMENTATION REVIEWS**
HOMECEUCONNECTION.COM

**ALTERNATIVE EMPLOYEE COMPENSATION MODELS: WHAT WORKS AND
WHAT DOESN'T**
HOMECEUCONNECTION.COM

**MERGERS & ACQUISITIONS IN 2020: HOW TO KNOW WHEN THE TIME IS
RIGHT FOR YOU**
HOMECEUCONNECTION.COM

WHY DOERS MUST DELEGATE: THE KEY TO NEXT-LEVEL SUCCESS IN PRACTICE

HOMECEUCONNECTION.COM

A GUIDE TO THE HEALTHCARE MARKETING ECOSYSTEM

HOMECEUCONNECTION.COM

THERAPEUTIC YOGA: APPLICATIONS, MODIFICATIONS AND CONTRAINDICATIONS

THERAPEUTIC MOVEMENT

MANAGEMENT OF LUMBOPELVIC CONDITIONS WITH MANUAL THERAPY

ST LUKES- ELKS REHAB

CHRONIC PAIN SEMINAR: SACROILIAC JOINT (MD LECTURE) AND PT UPDATES IN MANAGEMENT OF PERSISTENT PAIN

ST LUKES- ELKS REHAB

UE NEURODYNAMICS

ST LUKES- ELKS REHAB

2019 SPOKANE PAIN CONFERENCE

GRITMAN MEDICAL CENTER/RUSSO

EXECUTIVE SESSION

Ms. Schroeder made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Mr. Mix. The vote was: Ms. Lippiello, aye; Mr. Bailey, aye; Mr. Esplin, aye; Mr. Mix, aye; and Ms. Schroeder, aye. Motion carried.

Mr. Mix made a motion to come out of executive session. It was seconded by Mr. Bailey. Motion carried.

APPLICATIONS

Mr. Bailey made a motion to approve the following for licensure:

PHYA-6425 Dean Bessas

It was seconded by Mr. Mix. Motion carried.

Mr. Bailey made a motion to deny the request to waive the Test of English as a Foreign Language (TOEFL) and approve the following pending receipt of additional information:

Applicant ID 901167781

It was seconded by Ms. Schroeder. Motion carried.

Mr. Bailey made a motion to approve the following pending receipt of additional information:

Applicant ID 901164533

Applicant ID 901165420

It was seconded by Ms. Schroeder. Motion carried.

Mr. Bailey made a motion to approve the following for licensure:

PHYA-6529

Rachel Trupe

PHYA-6527

Kevin Wallewein

It was seconded by Ms. Schroeder. Motion carried.

NEXT MEETINGS were scheduled for the following dates and times: 12/12/2019, 1:15 PM MST (conference call); 1/3/2020, 1:15 PM MST (conference call); and 2/21/2020, 9:00 AM MST (face-to-face meeting).

ADJOURNMENT

Mr. Mix made a motion to adjourn the meeting at 1:35 PM MDT. It was seconded by Ms. Schroeder. Motion carried.

Angela L Lippiello, Chair

M Andrew Mix

Mike D Bailey

Craig L Esplin

Glady Schroeder

Kelley Packer, Bureau Chief